



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 10/606,770 | 06/27/2003 | Yolanta Beresnevichiene | 300110303-2 | 5490 |

22879 7590 12/27/2005

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

LIN, SHEW FEN

ART UNIT PAPER NUMBER

2166

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/606,770 | Applicant(s) BERESNEVICHIE, YOLANTA | |
| | Examiner Shew-Fen Lin | Art Unit 2166 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17, 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>6/27/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2166

DETAILED ACTION

- a. This action is responsive to application filed on 6/27/2003, IDS filed on 6/27/2003.
- b. The application claims foreign priority 0215198.3 filed on 7/2/2002.
- c. Claims 1-17 and 20 are pending. Claims 1 and 8 are independent claims.

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in United Kingdom on 7/2/2002. It is noted, however, that applicant has not filed a certified copy of the 0215198.2 application as required by 35 U.S.C. 119(b).

Applicant is reminded that in order for a patent issuing on the instant application to obtain the benefit of priority based on priority papers filed in parent Application No. 0215198.2 on 7/2/2002 under 35 U.S.C. 119(a)-(d) or (f), a claim for such foreign priority must be timely made in this application. To satisfy the requirement of 37 CFR 1.55(a)(2) for a certified copy of the foreign application, applicant may simply identify the application containing the certified copy.

Claim Objections

Claim 20 objected to because of the following informalities: Claim should be stated in the format of an independent claim. Appropriate correction is required.

Claim Rejections – 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-17 and 20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

MPEP 2106 IV. B.2. (b)

A claim that requires one or more acts to be performed defines a process. However, not all processes are statutory under 35 U.S.C. 101. Schrader, 22 F.3d at 296, 30 USPQ2d at 1460. To be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan (discussed in i) below), or (B) be limited to a practical application within the technological arts.

Claims 1-17 and 20 in view of the above-cited MPEP section, are not statutory because they merely recite steps that can be performed by a person with pen and paper. The use of a computer or a data processor has not been indicated being used to perform the steps. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101 nor is there a transformation of something physical to another state or thing.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8-14, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaler et al. (US Publish 2003/0074356) in view of Zhang et al. (US Pattern 6,944,627, hereinafter referred to as Zhang).

As to claims 1, 8, and 20, Kaler discloses a method/system/apparatus for generating a storage specification for a document (ACL control for the files, paragraph [0005], lines 1-9), the document having associated with it at least one storage label (metadata type reads on label, Figure 3, paragraph [0009], lines 1-6, paragraph [0033], lines 1-7, paragraph [0051], lines 11-19), the apparatus comprising a storage specification template database for determining storage specification templates according to storage labels associated with documents (Figure 5, paragraph [0044], lines 1-6), a rules database comprising rules for resolving conflicts between conflicting storage specification templates (paragraph [0046], lines 14-23) and a storage specification generator for generating a storage specification for the document therefrom (merge, interact, or replace metadata, paragraph [0047], lines 1-5).

Kaler discloses the elements of claims 1,8, and 20 as noted above but does not explicitly disclose storing metadata (template) and rule in databases.

Zhang discloses a hierarchical database to including tables at different levels to store data/metadata (Figure 2, column 1, column 50-55, column 2, lines 26-28). It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Kaler's disclosure to store metadata/rule in a hierarchical database as taught by Zhang for the purpose of efficient usage of storage and fast storing and retrieving data (column 1, lines 39-47, Zhang). The skilled artisan would have been motivated to improve the invention of Kaler per the above such that metadata or rules can be selected from different hierarchical levels of tree vertically and/or across several metadata (label) types horizontally (column 4, lines 31-42, Zhang).

As to claims 2 and 10, Kaler discloses a hierarchy database having a specification template hierarchy and rules database comprises hierarchy rules for reconciling storage specification template conflicts according to the relative storage specification hierarchy (natural hierarchy is as decision making, paragraph [0049]).

Kaler discloses the elements of claim 2 as noted above but does not explicitly disclose specification template hierarchy and rules database.

Zhang discloses a hierarchical database to including tables at different levels to store data/metadata (Figure 2, column 1, column 50-55, column 2, lines 26-28).

As to claims 3 and 11, Kaler discloses the rules database comprises inter-label storage specification template conflict resolution rules (paragraph [0047], lines 5-16).

Kaler discloses the elements of claim 3 as noted above but does not explicitly disclose specification template hierarchy and rules database.

Zhang discloses a hierarchical database to including tables at different levels to store data/metadata (Figure 2, column 1, column 50-55, column 2, lines 26-28).

As to claims 4 and 13, Kaler discloses a storage specification template comprises a plurality of fields (Figure 4, paragraph [0038]).

As to claims 5 and 14, Kaler discloses the rules database provides default entries for uninstantiated fields in the storage specification template (paragraph [0050]).

Kaler discloses the elements of claim 5 as noted above but does not explicitly disclose specification template hierarchy and rules database.

Zhang discloses a hierarchical database to including tables at different levels to store data/metadata (Figure 2, column 1, column 50-55, column 2, lines 26-28).

As to claim 9, Kaler discloses at least one storage specification field is of a storage specification template (paragraph [0052], lines 4-8).

Art Unit: 2166

As to claim 12, Kaler discloses the hierarchy rules are applied before the inter-label storage specification template rules (conflict between two levels of the metadata hierarchy is applied before metadata elements refer to the same scope, paragraph [0046], lines 14-23, paragraph [0048], 11-5).

As to claim 17, Kaler discloses a storage specification for the document is output and associated with the document (Figures 8-11, paragraph [0054], lines 1-11, paragraph [0057], lines 1-5).

Claims 6-7 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaler and Zhang (hereinafter referred as Kaler-Zhang) as applied to claims 1 and 4 above, and further in view of Talati (US Patent 5,999,942).

As to claims 6 and 15, Kaler-Zhang discloses the elements of claims 1 and 4 as noted above but does not explicitly disclose if there is an uninstantiated field in the storage specification template a user query is referred to a user interface.

Talati discloses a method to interact with user using user interface to add attribute (column 8, lines 38-41, column 13, lines 41-55). It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Kaler-Zhang's disclosure to provide user interface for uninstantiated field as taught by Talati for the purpose of preventing empty field in the specification (column 13, lines 49-55, Talati). The skilled artisan would have

Art Unit: 2166

been motivated to improve the invention of Kaler-Zhang per the above such that storage specification will contain all the required fields.

As to claims 7 and 16, Kaler-Zhang discloses the elements of claim 1 as noted above but does not explicitly disclose if the rules database determines that a conflict between storage specification templates exists, but that no rule is provided to reconcile the conflict, a user query is generated to a user interface.

Talati discloses missing action rules can be applied and user interface is provided to resolve conflict (column 12, lines 12-23, column 13, lines 29-37). It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Kaler-Zhang's disclosure to provide user interface to resolve conflict as taught by Talati for the purpose of correcting problem without having the user modify the information model (column 13, lines 29-33, Talati). The skilled artisan would have been motivated to improve the invention of Kaler-Zhang per the above such that conflict can be resolved.

Related Prior Arts

The following list of prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Smith et al., US 6647391 B1, "System, method and article of manufacture for fast mapping from a propertyed document management system to a relational

Art Unit: 2166

database”, (...a database is provided having a plurality of tables relating to a plurality property groups,... The properties of the document are then mapped to those tables in the database which include a property group that has been determined to apply to the document).

- Pauliks et al., US 20030028507 A1, “Method and system for master planning priority assignment”, (...assigning a priority to a demand record that contains at least one demand attribute and a priority field. The assignment includes identifying a database that contains priority assignment rules for demand records and then querying the rule database to find the database record that corresponds to the particular demand record).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2166

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shew-Fen Lin
Patent Examiner
Art Unit 2166
December 19, 2005


MOHAMMAD ALI
PRIMARY EXAMINER